

Appl.No. 10/596,801
Amdt.dated April 29, 2009
Reply to Office action of December 31, 2008

REMARKS/ARGUMENTS

Claim 2 stands rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement.. Since claim 2 was part of the original filing, it is part of the original description and by definition complies.

Claims 1-9 stand rejected under 35 U.S.C. § 112 as being indefinite. Claim 1 has been amended to clarify the diameters and claim 2 amended to clarify which valve is referred to.

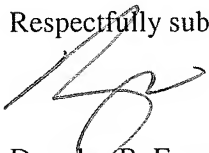
Claims 1, 5, 6, 7 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by McRitchie. Claim 1 has been amended to recite that the needle and seat are both tapered longitudinally over a distance substantially greater than the diameter. Because of the taper and the long sealing surfaces, flow can be adjusted very finely. On the other hand, McRitchie's device uses a non-tapered cylindrical needle and seat and adjustment is accomplished by selectively occluding air passage 316. While there is arguably a taper on the end of the needle, it is less than the diameter in axial length. Given the narrow size of this passage, fine adjustment of flow is difficult at best. Accordingly, the claim as amended patentably distinguishes over the rejection and references of record.

Claims 2-9 have been amended to depend from claim 1. In addition to being patentable for the reasons stated above with respect to claim 1, those claims are also patentable for the limitations contained therein.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Attachments